

Testimony of Dennis Damon

An Act Concerning Municipal Automated Traffic Enforcement Safety Devices at Certain Intersections

Senator Maynard, Representative Guerrero, distinguished members of the Joint Standing Committee on Transportation, my name is Dennis Damon. Prior to being termed out of office in 2010 I had the honor of serving the people of Hancock County in the Maine Senate. While in the senate I served on the Joint Standing Committee on Transportation for eight years and chaired that Committee for the last six of those.

I come before you today to share some of my concerns and those of my colleagues when we considered proposed legislation similar to the bill before you now.

In 2009, during the 124th Legislature, two bills were presented to the Transportation Committee dealing with traffic surveillance cameras. One, I sponsored, dealt with Automated License Plate Readers (ALPR) and the other, sponsored by a House member who, if he served in the Senate with me would have sat across the aisle. His bill banned the use of cameras to enforce traffic laws.

My bill was amended to create a commission that addressed the various concerns I had surrounding loss of privacy, abuse of gathered data and corruption of data and was passed into law. By the way, that commission was convened and the reasonable safeguards were instituted. ALPR cameras are now used by various municipal police departments throughout Maine.

Regarding my colleagues' bill, it left our committee with a unanimous 'Ought to Pass' report and was subsequently passed by the entire legislature. Communities in Maine were prohibited from using cameras to enforce traffic laws.

The most recent update on the use of surveillance cameras for traffic enforcement reveals a bill that was introduced in the first session of our current legislature, the 125th, that would have allowed cameras at intersections and would have removed the carefully negotiated limits imposed on Automated License Plate Readers. That bill was defeated. Therefore, communities in Maine are still not allowed to use cameras to enforce traffic laws.

Now I am very aware that Connecticut is not Maine and that the sovereignty of each state is paramount when it comes to making its decisions and laws, but some of the issues we wrestled with that ended up carrying the day in our debate might be of interest to you as you consider this bill.

Notwithstanding my confusion with how this bill apparently creates an infraction on 'a motor vehicle being drawn by another motor vehicle' and the ability of a true offender to be able to assign blame to another, I am forever concerned that by using surveillance cameras and by promoting their increasing

use we are eroding one of our most basic rights --- the right of privacy. That concern was shared by many and came through very clearly in our discussions in Maine.

Privacy, free association and due process – these are the tenets we hold vital to a thriving democracy. While Raised Bill No. 5458 does not alone erase those tenets, it does contribute to a surveillance state which can exist and which will erase them.

So there are the fundamentals of our democracy to consider as you hear this bill. And there is another important reason why I urge you not to support Raised Bill 5458. *TRAFFIC CAMERAS ARE NOT PROVEN TO INCREASE PUBLIC SAFETY*. Why, then, do we want them?

Proponents of this bill will point to alleged studies showing that cameras increase public safety when the opposite is true. It is important to examine the authors and funders of such studies. There is a tremendous financial incentive by the makers of this technology and by insurance companies to put in place networks of surveillance cameras. However, independent studies sponsored by various universities demonstrate that red light cameras have been shown time and time again to increase accidents at intersections. The National Motorists Association has a comprehensive list of such studies on its website at <http://www.motorists.org/red-light-cameras/studies>. Included is a 2008 Report done by the University of Southern Florida, published in the *Florida Public Health Review* journal, which found that red light cameras increase accidents as well as insurance industry profits.¹

This bill, if it becomes law, will reduce public safety while infringing on constitutionally protected due process and privacy rights. Any law that does that must have the utmost regard for the public interest and have an immense positive impact. Since Raised Bill 5458 does not meet that criterion of public good and would serve to weaken civil liberties, I urge you to vote this bill, Ought Not to Pass.

Thank you. I will be happy to take your questions.